

As stated in OME's response to Staff's last round of discovery (filed in DelaFile January 5, 2015) it was indicated that the Company serves one DE client associated with a Panera Bread Franchise, "The Panera Bread location is the only utility account that OME manages in the State of Delaware."

1. How long has OME managed this account?

OME began managing a single utility account for the Delaware Panera Bread location in January 2013.

2. What "utility account management" services do you provide to the Delaware account?

OME refers to utility account management" as it pertains to the bill review including verification that usage is correct and Panera is billed the correct amount.

Also, stated in the most recent response "Open Market Energy consulting services (bill review, budgeting, market research) to Sheehy Automotive with Virginia locations are budgeting and quarterly analysis of bills."

3. Please explain why OME is not required under Virginia law to:

- a. Be in existence as a Foreign Entity?
- b. Have a Virginia Business License?

OME offers utility bill review services to our Maryland client who has facilities located in Virginia. All services are rendered in Maryland and OME does not charge our client for this service, as it is included when our customers use OME for managing their Maryland energy procurement. OME does not transact or have employees work in the State of Virginia so we believe OME is not required to obtain a Virginia Business License or be in existence as a Foreign Entity. If the State of Delaware believes the works description above requires a Virginia Business License then I welcome applying for one. Please provide clarification if we are required to obtain a Virginia Business License?

Notarized Identity Verification

PRINT NAME: JOHN P GARDINER
(First Name, Middle Initial, Last Name)

E-mail Address (optional): JOHN @OPENMARKETENERGY.NET

Address: 7625 WISCONSIN AVE

City: BETHESDA State: MD Zip Code: 20814

I hereby represent that all above information is true and accurate.

Signature: [Signature]
(Sign in the Presence of a Notary)

State of Maryland

County of Montgomery

I hereby certify that on this 13 day of Feb, 2015

Personally appeared before me the signer and subject of the above form, who signed or attested to the same in my presence, and presented the following form of identification as proof of his or her identity:

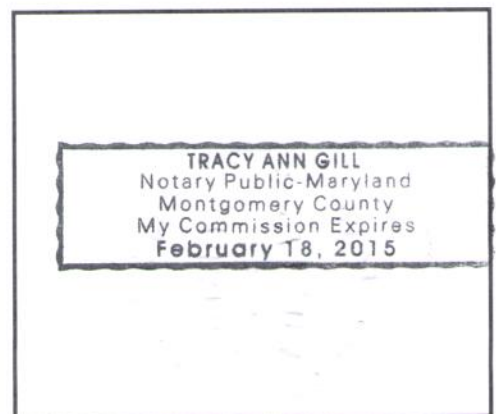
- ☒ Driver's License or Govt. Identification Card
- ☐ U.S. Passport
- ☐ U.S. Military ID Card
- ☐ State Identification Card
- ☐ Social Security Card
- ☐ Birth Certificate
- ☐ Other: _____

(provide description)

Notary Public: Tracy Ann Gill
(Print Name)

My Commission Expires: 2.18.2015

Notary Public Signature: [Signature]



Reserved for Notary Seal